

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
SHOMARI SAEED,

Plaintiff,

Docket No. 09-3314  
(WFK)(AKT)

-against-

COUNTY OF NASSAU, NASSAU COUNTY  
SHERIFF'S DEPARTMENT, SERGEANT JOSEPH  
KREUTZ, in his official and individual capacity,  
INVESTIGATOR DARRYL HENDERSON, in his official and  
individual capacity, SERGEANT THOMAS SAITTA, in his official  
and individual capacity, DEPUTY UNDERSHERIFF  
LINDA LAGRECA, in her official and individual capacity,  
CAPTAIN PETER DUDEK, in his official  
and individual capacity,

Defendants.

-----X  
**NOTICE IS HEREBY GIVEN**, that **Plaintiff, SHOMARI SAEED**, hereby appeals to the  
United States Court of Appeals for the Second Circuit from the verdict rendered by the jury on  
January 24, 2014, in favor of the Plaintiff, and against the Defendants. The District Court's  
Judgment was entered on the 26<sup>th</sup> day of February 2014

Dated: Hempstead, New York  
March 26, 2014

LAW OFFICES OF  
FREDERICK K. BREWINGTON

/S/

By:

\_\_\_\_\_  
FREDERICK K. BREWINGTON  
*Attorneys for the Plaintiff*  
556 Peninsula Boulevard  
Hempstead, New York 11550  
(516) 489-6959

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHOMARI SAEED

Plaintiff,

-against-

COUNTY OF NASSAU, NASSAU COUNTY  
SHERIFF'S DEPARTMENT, SERGEANT  
JOSEPH KREUTZ, in his official and individual  
capacity, INVESTIGATOR DARRYL  
HENDERSON, in his official and individual  
capacity, SERGEANT THOMAS SAITTA, in his  
official and individual capacity, DEPUTY  
UNDERSHERIFF LINDA LAGRECA, in her  
official and individual capacity, CAPTAIN PETER  
DUDEK, in his official and individual capacity,

Defendants.  
-----X

JUDGMENT

2:09-cv-3314, (Kuntz, J.)

This action having been tried by **JUDGE WILLIAM F. KUNTZ, II, UNITED STATES DISTRICT JUDGE**, presiding, and the jury having rendered a verdict; it is hereby

**ORDERED AND ADJUDGED** that judgment is entered in favor of **Plaintiff Shomari Saeed** and against **(1) Defendant the County of Nassau** and **(2) Defendant Nassau County Sheriff's Department** with respect to the Plaintiff's breach of contract claim. The Plaintiff is awarded the following in compensatory damages: 1. \$50,000 in Future Psychological / Psychiatric Treatment Costs; 2. \$100,000 in Past Emotional Distress; 3. \$50,000 in Future Emotional Distress; and 4. Post-judgment interest pursuant to 28 U.S.C. § 961.

Dated: Brooklyn, New York  
February 26, 2014

DOUGLAS C. PALMER  
CLERK OF COURT

by: /s/ Andrew Jackson  
Deputy Clerk

**VERDICT FORM**

Nothing said in the Verdict Form is meant to suggest what your verdict should be. You alone have the responsibility for deciding the verdict.

**I. NEW YORK STATE EXECUTIVE LAW SECTION 296**

**A. HOSTILE WORK ENVIRONMENT UNDER NEW YORK STATE EXECUTIVE LAW SECTION 296**

1. Do you find that the Defendants subjected the Plaintiff, on the basis of his race, color, religion, or gender to a hostile work environment?

YES \_\_\_\_\_

NO X \_\_\_\_\_

**B. RETALIATION UNDER NEW YORK STATE EXECUTIVE LAW SECTION 296**

2. Do you find that the Defendants retaliated against the Plaintiff because the Plaintiff complained that his employer was engaged in unlawful discrimination?

YES \_\_\_\_\_

NO X \_\_\_\_\_

**II. TITLE VII**

**A. HOSTILE WORK ENVIRONMENT UNDER TITLE VII**

3. Do you find that the Defendants County of Nassau and the Nassau County Sheriff's Department subjected the Plaintiff, on the basis of his race, color, religion, or gender to a hostile work environment?

YES \_\_\_\_\_

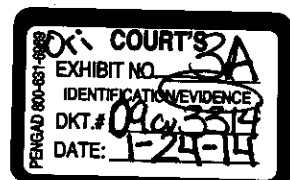
NO X \_\_\_\_\_

**B. RETALIATION UNDER TITLE VII**

4. Do you find that Defendants County of Nassau and the Nassau County Sheriff's Department retaliated against the Plaintiff because the Plaintiff complained that his employer was engaged in unlawful discrimination?

YES \_\_\_\_\_

NO X \_\_\_\_\_



**III. 42 UNITED STATES CODE SECTION 1981**

5. Do you find that any of the Defendants Kreutz, Henderson, Saitta, LaGreca, or Dudek wrongfully discriminated against the Plaintiff because of his race by failing to promote the Plaintiff, subjecting the Plaintiff to unequal terms and conditions of employment, subjecting the Plaintiff to a hostile work environment, retaliating against the Plaintiff, and/or wrongfully terminating the Plaintiff?

YES \_\_\_\_\_

NO   X  

*If you answered "YES" to Question 5, answer Questions 6 through 10.  
If you answered "NO" to Question 5, skip Questions 6 through 10, and proceed to Question 11.*

6. Do you find that Defendant Joseph Kreutz violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

7. Do you find that Defendant Darryl Henderson violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

8. Do you find that Defendant Thomas Saitta violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

9. Do you find that Defendant Linda LaGreca violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

10. Do you find that Defendant Peter Dudek violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

**IV. 42 UNITED STATES CODE SECTION 1983**

11. Do you find that any of the Defendants Kreutz, Henderson, Saitta, LaGreca, or Dudek violated the Plaintiff's constitutional rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO X \_\_\_\_\_

*If you answered "YES" to Question 11, answer Questions 12-16.*

*If you answered "NO" to Question 11, skip Questions 12-16, and proceed to Question 17.*

12. Do you find that Defendant Joseph Kreutz violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

13. Do you find that Defendant Darryl Henderson violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

14. Do you find that Defendant Thomas Saitta violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

15. Do you find that Defendant Linda LaGreca violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

16. Do you find that Defendant Peter Dudek violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

**V. 42 UNITED STATES CODE SECTION 1985(3)**

17. Do you find that any of the Defendants Kreutz, Henderson, Saitta, LaGreca, or Dudek conspired to violate the Plaintiff's rights on the basis of his color, race, or religion?

YES \_\_\_\_\_

NO X \_\_\_\_\_

*If you answered "YES" to Question 17, answer Questions 18 through 28.  
If you answered "NO" to Question 17, skip Questions 18 through 28, and proceed to  
Question 29.*

18. Do you find that Defendant Joseph Kreutz violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

19. Do you find that Defendant Darryl Henderson violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

20. Do you find that Defendant Thomas Saitta violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

21. Do you find that Defendant Linda LaGreca violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

22. Do you find that Defendant Peter Dudek violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

**VI. SECTION 1986**

23. Do you find that any of the Defendants Kreutz, Henderson, Saitta, LaGreca, or Dudek failed to intervene to prevent violation of the Plaintiff's rights?

YES \_\_\_\_\_

NO \_\_\_\_\_

*If you answered "YES" to Question 23, answer Questions 24 through 28.  
If you answered "NO" to Question 23, skip Questions 24 through 28, and proceed to  
Question 29.*

24. Do you find that Defendant Joseph Kreutz violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

25. Do you find that Defendant Darryl Henderson violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

26. Do you find that Defendant Thomas Saitta violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

27. Do you find that Defendant Linda LaGreca violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

28. Do you find that Defendant Peter Dudek violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

## VII. QUALIFIED IMMUNITY

29. Did Defendant Joseph Kreutz prove, by a preponderance of the evidence, that he is entitled to qualified immunity?

YES \_\_\_\_\_

NO X \_\_\_\_\_

30. Did Defendant Darryl Henderson prove, by a preponderance of the evidence, that he is entitled to qualified immunity?

YES \_\_\_\_\_

NO X \_\_\_\_\_

31. Did Defendant Thomas Saitta prove, by a preponderance of the evidence, that he is entitled to qualified immunity?

YES \_\_\_\_\_

NO X \_\_\_\_\_

32. Did Defendant Linda LaGreca prove, by a preponderance of the evidence, that she is entitled to qualified immunity?

YES \_\_\_\_\_

NO X \_\_\_\_\_



33. Did Defendant Peter Dudek prove, by a preponderance of the evidence, that he is entitled to qualified immunity?

YES \_\_\_\_\_

NO X \_\_\_\_\_

#### VIII. BREACH OF CONTRACT

34. Did the Plaintiff prove his breach of contract claim against the County of Nassau and the Nassau County Sheriff's Department by a preponderance of the evidence?

YES X \_\_\_\_\_

NO \_\_\_\_\_

#### IX. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

35. Did the Plaintiff prove his Intentional Infliction of Emotional Distress claim against Defendants Kreutz, Henderson, Saitta, LaGreca, and Dudek by a preponderance of the evidence?

YES \_\_\_\_\_

NO X \_\_\_\_\_

*If you answered "YES" to any of the above questions, (excluding Questions 29 through 33), state the amount of damages you award by responding to Questions 36 through 46. If you answered all of the above questions "NO" (excluding Questions 29 through 33), proceed no further, and have the Jury Foreperson date and sign this Verdict Sheet and return to the Courtroom.*

#### X. DAMAGES

##### A. COMPENSATORY DAMAGES

36. Past Economic Damages

\$ 0 .00

37. Future Economic Damages

\$ 0 .00

38. Future Psychological / Psychiatric Treatment Costs

\$ 50,000.00

39. Past Emotional Distress

\$ 100,000.00

40. Future Emotional Distress

\$ 50,000.00

B. PUNITIVE DAMAGES

41. Do you award Punitive Damages against any of the Individual Defendants?

YES \_\_\_\_\_

NO X \_\_\_\_\_

*If you answered "YES" to Question 41, answer Questions 42 through 46.*

*If you answered "NO" to Question 41, proceed no further, and have the Jury Foreperson date and sign this Verdict Sheet and return to the Courtroom.*

42. Punitive Damages against Defendant Joseph Kreutz

\$ \_\_\_\_\_ .00

43. Punitive Damages against Defendant Darryl Henderson

\$ \_\_\_\_\_ .00

44. Punitive Damages against Defendant Thomas Saitta

\$ \_\_\_\_\_ .00

45. Punitive Damages against Defendant Linda LaGreca

\$ \_\_\_\_\_ .00

46. Punitive Damages against Defendant Peter Dudek

\$ \_\_\_\_\_ .00

*The Jury Foreperson should date and sign this Verdict Sheet and return it to the Courtroom*

Dated January 24, 2014

Signed: \_\_\_\_\_

**Jury Foreperson**